

# APPENDIX

## A SUMMARY OF THE INSTITUTIONAL POSITIONS IN THE CAP NEGOTIATIONS

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	Direct Payment Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
1	Financial discipline	Threshold for application	5.000 EUR	5.000 EUR	2.000 EUR	2.000 EUR
2	Active farmer	Mandatory vs. Voluntary	Mandatory	Mandatory	Voluntary	Mandatory
3	Redistributive payments	Mandatory vs. Voluntary	N/a	Voluntary	Voluntary	Voluntary
4	Redistributive payments	Threshold for eligible ha	N/a	Up to 50 or average farm size	Up to 30 or average farm size	Up to 30 or average farm size
5	Redistributive payments	Threshold for funding (% of national average payment per ha)	N/a	N/a	Max. 65 %	max. 65 %
6	Redistributive payments	Maximum for annual national ceiling	N/a	Up to 30%	Up to 30%	up to 30%
7	Support for young farmers	Mandatory vs. Voluntary	Mandatory	Mandatory	Voluntary	Mandatory
8	Support for young farmers	Threshold for annual national ceiling	Up to 2%	2%	Up to 2%	Up to 2%
9	Support for young farmers	Threshold for eligible ha	Up to 25 or average farm size	up to 100	Up to 25 or average farm size	between 25-90
10	Support for small farmers	The scheme is mandatory vs. voluntary for MSs	Mandatory	Voluntary	Voluntary	Voluntary
11	Support for small farmers	The scheme is mandatory vs. Voluntary for farmers	Voluntary	Mandatory	Voluntary	Voluntary

	Direct Payment Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
12	Support for small farmers	Maximum of annual payment	1.000 EUR	1.500 EUR	1.000 EUR	1.250
13	Support for small farmers	Amount of annual payment as a percentage of the national average payment per beneficiary	Up to 15%	Up to 25%	Up to 15%	up to 25%
14	Support for small farmers	Calculation of payment based on national average payment per ha	Up to 3 ha	Up to 5 ha	Up to 3 ha	Up to 5 ha
15	Support for small farmers	Maximum annual national ceiling	10%	15%	10%	10%
16	Support for small farmers	Application for SAPS	No	No	Yes	Yes
17	Greening	Equivalence of national environmental certificates	No	No	Yes	Yes
18	Greening - Crop diversification	Lower threshold for crop rotation	3 ha	10 ha	10 ha	10 ha
19	Greening - Crop diversification	2 crops	No	10-30 ha	10-30 ha	10-30 ha
20	Greening - Crop diversification	3 crops above	3 ha	30 ha	30 ha	30 ha

	Direct Payment Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
21	Greening - Crop diversification	Maximum threshold for one crop in term of arable land	70%	80%	75%	75%
22	Greening - Permanent Grassland	Level of application/calculation of permanent grassland ratio	At farm level	national, regional or sub-regional level	national, regional or sub-regional level	national, regional or sub-regional level
23	Greening - Permanent Grassland	Permanent pasture part of permanent grassland	No	Yes	No	Yes
24	Greening - Ecological Focus Areas	Threshold above which EFA applies	0 ha	10 ha	15 ha	15 ha
25	Greening - Ecological Focus Areas	Percentage of farmland	7%	3 %, up to 5% from 2016, up to 7% from 2018	5%, up to 7% from 2018	5 %, 7% from 2018
26	Internal Convergence	Payment entitlements	Uniform unit value have to be reached by 2019	Same as EC position but with possibility to deviate by 20% from this value + 2019 levels can't be more than 30% over 2014 level	Uniform unit value have to be reached by 2019 + increase by 1/3 for payments whose unit value in 2014 is lower than 90 % of the national or regional unit value	All farmers below 90% of national average must get a payment increase of at least 1/3 of the difference of the current payment to the 90%. All farmers shall receive at least 60% of the national or regional average. Option for Member States to limit farmers' 'losses' to 30%.

	Direct Payment Regulation					
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27	External Convergence	Convergence between MSs	MSs with direct payments below the level of 90% of the average should close one third of the gap between their current level and this level by 2020.	No MSs should receive less than 65% of the EU average.	All MSs should reach at least 196 EUR/ha by 2020	MSs shall attain at least a level of 196 euros per ha by 2020
28	Voluntary coupled support	List of sectors	Short list	Long list	Short list	Short list
29	Voluntary coupled support	MSs applying more than 5% of their DP for coupled payments during at least one year between 2010-2013	Up to 10%	Up to 15%	Up to 10%	Up to 13%
30	Voluntary coupled support	MSs applying more than 10% of their DP for coupled payments during at least one year between 2010-2013	No position	No position	more than 10%	more than 13%

	Direct Payment Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
31	Voluntary coupled support	MSs applying SAPS	Up to 10%	Up to 15%	Up to 10%	up to 13%
32	Voluntary coupled support	Other MSs	Up to 5%	Up to 15%	Up to 5%	up to 8%
33	Voluntary coupled support	Protein crops	0	Plus 3%	Plus 2%	Plus 2 %
34	Payment entitlements	Reference year for BPS	2011	2009, 2010 or 2011	2012, 2013, 2014	2014
35	Payment entitlements	SAPS expiry	31/12/2013	31/12/2020	31/12/2020	31/12/2020
36	Capping and degressivity	Mandatory vs. Voluntary	Mandatory	Mandatory	Voluntary	Mandatory
37	Capping and degressivity	Maximum (capping)	300.000 EUR	300.000 EUR	No maximum	No maximum
38	Capping and degressivity	Degressivity	20-70%	20-70%	Fix percentage set by the MSs	at least 5%
39	Capping and degressivity	Exemption	No	No	Yes	MSs using at least 5% of ANC on redistributive payments
40	Flexibility between pillars	From P1 to P2 for above-average MSs (in terms of DP per ha)	Up to 10%	Up to 15%	Up to 15%	Up to 15%
41	Flexibility between pillars	From P1 to P2 for below-average MSs (in terms of DP per ha)	Up to 10%	Up to 15%	Up to 15%	Up to 15%

	Direct Payment Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
42	Flexibility between pillars	From P2 to P1 for above-average MSs	0	0	Up to 15%	Up to 15%
43	Flexibility between pillars	From P2 to P1 for below-average MSs	up to 5%	up to 10%	Up to 25%	Up to 25%

	CMO Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
1	Export refunds	Budget available	Not defined in the CMO	EUR 0	Not defined in the CMO	EUR 0
2	Export refunds	Serve as a crisis management instrument	Not only	Yes only	Not only	Yes only
3	Public intervention	Products eligible	Common wheat, barley, maize, paddy rice, beef, veal, butter, skimmed milk powder	EC proposal + durum wheat, sorghum	Common wheat, barley, maize, paddy rice, beef, veal, butter, skimmed milk powder	Common wheat, durum wheat, barley, maize, paddy rice, beef, veal, butter, skimmed milk powder
4	Public intervention	Intervention period	Varies by product	Throughout the year	Varies by product	Varies by product
5	Buying-in	Measures on quantitative limitations	part of the regulation	part of the regulation	not part of the regulation, defined later by the Council	not part of the regulation, defined later by the Council

	CMO Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
6	Private storage aid	Products eligible	Olive oil	Olive oil and table olives	Olive oil	Olive oil
7	Private storage aid	Products eligible	No cheese	Cheese	No cheese	Cheese
8	Private storage aid	Conditions for granting aid include	Average recorded Union market price; reference prices for the products	Average recorded Union market price; reference prices for the products; production costs; impact of market situation on producers' profit margin	Average recorded Union market price; reference prices for the products	Average recorded Union market price; reference thresholds and production costs; profit margins in the sector;
9	School fruit Scheme	Extended to vegetables	No	Yes	No	Yes
10	School fruit Scheme	maximum aid per school year	EUR 150 million	EUR 150 million	No definite amount; shall be defined later by the Council	No definite amount; shall be defined later by the Council
11	Aid in the fruit and vegetables sector	Timeframe of operational fund	Not defined	3-5 years	Not defined	Not defined
12	Aid in the fruit and vegetables sector	Maximum expenditure for crisis prevention and management under the operational programme	Less than one-third	40%	Less than one-third	Less than one-third



	CMO Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
13	Aid in the fruit and vegetables sector	Maximum Union financial assistance for associations of producer organisations in terms of the value of marketed products	4,60%	5,00%	4,60%	4,70%
14	Aid in the apiculture sector	EU contribution to national apiculture programmes	Max 50%	Max 60%	Equivalent to 50%	Equivalent to 50%
15	Sugar sector	End of sugar quota system	30/09/2015	end of the 2019/2020 marketing year	30/09/2017	30/09/2017
16	Wine sector	End of transitional wine planting right rights (WPR) + set up of new vine authorization system	End of WPR by 31/12/2015 with possibility for MSs to extend up to 31/12/2018, no new system after	End of WPR by the end of 2029/3030 marketing year	End of WPR by 31/12/2018 + set up of new vine authorization system from 1/1/2019 to 31/12/2024	End of WPR by 31/12/2015 + set up of new vine authorization system from 1/1/2016 to 31/12/2030
17	Producer Organisations	Mandatory vs. Voluntary recognition	Mandatory	Mandatory	Voluntary	Voluntary, but for specific sectors, i.e. fruit and vegetables, olive oil and table olives, silkworm sector, hops, is mandatory

	CMO Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
18	Producer Organisations	Competition rules	POs shall not hold a dominant market position	POs can hold a dominant market position	POs can hold a dominant market position	POs can hold a dominant market position
19	Producer Organisations	Pre-requisite for the ratio of Non-Annex I. products	Not defined	Non-Annex I. products shall not exceed 49% of the total volume marketed	Not defined	Non-Annex I. products shall not exceed 49% of the total volume marketed
20	Associations of producer organisations	Mandatory vs. Voluntary recognition	Mandatory	Voluntary	Voluntary	Voluntary
21	Interbranch organisations	Mandatory vs. Voluntary recognition	Mandatory	Voluntary	Voluntary	Voluntary

	EAFRD Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
1	Ring-fencing for environmental payments	Share of EAFRD and measures covered	N/a	25% for agri-environment and organic farming; 30% for agri-environment, organic farming, LFA, Forestry measures, Natura 2000 payments, WFD payments in the Luxembourg compromise proposal	0% initially, 25% for agri-environment, organic farming, LFA, Forestry measures, Natura 2000 payments, WFD payments in the Luxembourg compromise proposal	30% for: Agri-environment; Organic farming; LFA; Forestry payments; Natura 2000 payments; Environment-related investment;
2	Greening under P1 and P2	Double funding	No double funding	No double funding	Explicitly allowing double funding	No double funding
3	Organic farming	Double funding	No exclusion of double funding	No double funding	No exclusion of double funding	No double funding
4	National distribution of RD resources	Annual breakdown by MSs	implementing act	Annex to EAFRD regulation	Implementing act	Annex to EAFRD regulation
5	National distribution of RD resources	Adjustments due to inter-pillar transfers	implementing act	Delegated act	Implementing act	Delegated act
6	Support rates	Investments in physical assets and investments in new forestry technologies - Aegean islands	65%	75%	65%	75%

	EAFRD Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
7	Support rates	LFA - mountain areas	300 EUR/ha	450 EUR/ha	300 EUR/ha	450 EUR/ha
8	Support rates	Possibility to increase the support rates by 20% under the 'Investments in physical assets, Agricultural sector' measures	Young farmers setting up; Collective investments and integrated projects; Areas facing natural constraints as referred to in Article 33; Operations supported in the framework of the EIP;	Young farmers setting up; Collective investments and integrated projects; Areas facing natural constraints as referred to in Article 33; Operations supported in the framework of the EIP; Organic farmers, Natura 2000 and WFD, Agri-environment	Young farmers setting up; Collective investments and integrated projects; Areas facing natural and other specific constraints as referred to in Article 33; Operations supported in the framework of the EIP;	Young farmers setting up; Collective investments and integrated projects; Areas facing natural and other specific constraints as referred to in Article 33; Operations supported in the framework of the EIP; Organic farming, agri-environment;
9	Fund contribution	Percentage of eligible expenditure in less developed regions, outermost regions and Aegean islands	85%	85%	75%	85%

	EAFRD Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
10	Fund contribution	Percentage of eligible expenditure in other regions	50%	50%	53-75%	53-75%
11	Fund contribution	Agri-environment and climate measures	50-85%	55-90%	75%	75%
12	Fund contribution	Operations receiving funding from funds transferred to EAFRD from P1	50-85%	95% (MSs receiving FA)	100%	100%
13	Areas facing significant natural constraints	Eligibility threshold in terms of UAA	66%	EC was asked to table new delimitation by 31/12/2014	60%	60%
14	Areas facing significant natural constraints	Number of criteria to be fulfilled	at least 1	EC was asked to table new delimitation by 31/12/2014	At least one	at least 1
15	Areas facing significant natural constraints	Percentage that criteria shall be fulfilled	100%	EC was asked to table new delimitation by 31/12/2014	1 for 100% or 2 for 90%	100%
16	Areas facing significant	Deadline for new delimitation	No position	31/12/2014	No position	2018

	EAFRD Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
	natural constraints					
17	Producer groups	Eligible activity	Setting up the PG	Setting up and development of PG	Setting up the PG	Setting up the PG
18	Young farmers	Definition, eligible person	Less than 40 years of age	40 years of age or less	Less than 40 years of age	No more than 40 years of age
19	Afforestation and creation of woodland	Maximum period of support	10 years	15 years	15 years	12 years
20	Establishment of agroforestry systems	Maximum period to cover the costs of maintenance	3 years	5 years	5 years	5 years
21	Animal welfare payments	Commitment period	1 year	1-7 years	1 year	1-7 years
22	Investments in irrigation	Eligibility of new irrigation installations	Only in new MSs	In all MSs	In all MSs	Compromise between the three institutions

	Horizontal Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
1	General provisions	No double funding for environmental obligations both under P1 and P2	No double funding	No double funding	Double funding is possible for agri-environment and organic farming	No double funding
2	Transparency, publication of beneficiaries	Threshold, under which beneficiaries are exempted	Yes, equal to the amount of the SFS	No	Yes, equal to the amount of the SFS	Yes, equal to the amount of the SFS or 1250 Euro if SFS not applied in the MS
3	Paying Agencies	Number of PA	1 per MS or 1 per region / type of support (reduction relative to status quo)	1 per MS or 1 per region (even stronger reduction relative to status quo)	Restrict to the necessary minimum (allows increase relative to status quo)	1 per MS or per region/type of support, with derogation to keep existing paying agencies (confirms status quo, but limits further increase)
4	Cross-compliance	Water Framework Directive	Yes	No	No	No
5	Cross-compliance	Pesticide Directive	Yes	No	No	No
6	Cross-compliance	GAEC 7	GAEC 7 included	Deletion of GAEC 7	Deletion of GAEC 7	Deletion of GAEC 7

	Horizontal Regulation					
	Measure	Item	EC position	EP position	Council position	Final Regulation
7	Penalties	Penalty for non-compliance with the greening requirements (% additional to the 30% greening payment)	No limit (unlimited reduction of basic payment possible)	0% (reduction of basic payment not possible at all)	Max. 25% (limited reduction of basic payment possible)	Limited reduction of basic payment possible: 0% in the first two years, 20% for the third year, 25% from the 4th year

Source: From I. Fertő and A. Kovacs (2014), “Analysis of the European Parliamentary amendments to the legislative proposals of the 2013 CAP reform”, Working Paper, CEPS, Brussels ([www.ceps.eu/system/files/EP\\_Amendment\\_Analysis%20Case%20Study.pdf](http://www.ceps.eu/system/files/EP_Amendment_Analysis%20Case%20Study.pdf)).